

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

MATRYNE DEWITT VAIL

PLAINTIFF

v.

No. 3:18-cv-207-DPM

MIKE ALLEN and RON COLEMAN

DEFENDANTS

ORDER

Vail hasn't responded to the pending recommendation; his mail is being returned undelivered. No. 9. Unopposed recommendation, No. 8, adopted. FED. R. CIV. P. 72(b) (1983 addition to advisory committee notes). Vail's complaint will be dismissed without prejudice for failure to state a claim. This dismissal counts as a "strike" within the meaning of 28 U.S.C. § 1915(g). An *in forma pauperis* appeal from this Order and accompanying Judgment would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

7 January 2019